

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IVAN DENNINGS CALES,

Petitioner,

vs.

No. CIV 22-723 WJ/KK

STATE OF NEW MEXICO, et al.

Respondents.

**MEMORANDUM OPINION AND ORDER ADOPTING THE MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on: (i) Magistrate Judge Kirtan Khalsa's Proposed Findings and Recommended Disposition, filed July 8, 2024 (Doc. 38) ("PFRD"); and (ii) the Petitioner's "Pro Se Objections to Magistrate Judge's Proposed Findings," filed August 6, 2024 (Doc. 44) ("Objections"). The primary issue is whether Mr. Cales is entitled to default judgment against Respondents. Pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, the Court has conducted a de novo review of the record and all parts of the Magistrate Judge's PFRD that have been properly objected to. After conducting this de novo review, and having thoroughly considered the PFRD and the Petitioner's Objections, the Court finds no reason either in law or fact to depart from the Magistrate Judge's recommended disposition.

IT IS THEREFORE ORDERED that (i) the Petitioner's Objections (Doc. 44) are overruled; (ii) the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 38) is adopted; (iii) Petitioner's "Pro Se Motion for Default Judgment" (Doc. 32)¹ is denied; and (iv) Petitioner's "Pro Se Request for Court to Rule on Motion with [A]dditional [A]rgu[ment]" (Doc. 36) is granted.

¹ Cales also filed a document titled "Addition to Pro Se Motion for Default Judgment," (Doc. 35), which the Court has considered.

/s/

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE